

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JOHN ALLEN HESSMER,)
Plaintiff,)
v.) No. 3:12-cv-459
ROLAND COLSON,) Judge Trauger
DERRICK SCHOFIELD, and TDOC,)
Defendants.)

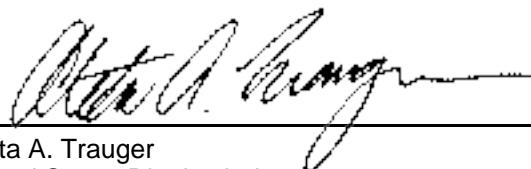
ORDER

This court entered an order on July 24, 2012 certifying that the plaintiff's appeal was taken in good faith, and directing the plaintiff either to submit the full appellate filing fee of \$455, or to obtain leave from the Sixth Circuit to proceed on appeal as a pauper. He was notified that to seek such leave, he must submit his application to proceed as a pauper on appeal directly to the Sixth Circuit Court of Appeals within 30 days of the date of that order. The Clerk of Court served notice of that order upon the Sixth Circuit Court of Appeals. On September 4, 2012, the Sixth Circuit entered an order dismissing the plaintiff's appeal for want of prosecution. (ECF No. 29.) The order states that the filing fee was not paid by August 23, 2012.

The plaintiff, Mr. Hessmer, has now filed in this court a Notice of Clerical Error (ECF No. 30) in which he states that he filed a timely application to proceed as a pauper before the Sixth Circuit which was never ruled upon, and that the Sixth Circuit's dismissal of his appeal for want of prosecution was entered in error. Mr. Hessmer also resubmitted, to this court, copies of the IFP application he claims he previously submitted to the Sixth Circuit.

It appears Mr. Hessmer filed this documents in both this court and in the Sixth Circuit. In an abundance of caution, however, the Clerk of Court is **DIRECTED** to forward copies of this order and the plaintiff's most recent filings (ECF Nos. 30 and 31) to the Sixth Circuit Court of Appeals.

It is so **ORDERED**.



Aleta A. Trauger
United States District Judge